

8-1582

MEMORANDUM FOR: General Counsel

SUBJECT : Justification for Revision to Provisions of Atomic Energy Act of 1954 which Limits Exchange of Restricted Data with DOD Personnel

1. As the result of Section 143 of the Atomic Energy Act of 1954, the Department of Defense no longer requires Que clearances in order to receive Restricted Data from employees of the Commission or its contractors. However, this Section is being interpreted literally so that the exchange of Restricted Data between non-Que cleared Department of Defense employees and employees of other agencies cannot be effected regardless of their clearance

[REDACTED] Atomic Energy Act of 1954 has become law, the Department of [REDACTED] has almost completely curtailed its request for Que clearances and is henceforth using the provisions of the new act in order to obtain Restricted Data.

3. As military personnel are gradually being transferred, the number of DOD personnel having Que clearances with whom CIA employees come in contact is rapidly diminishing and in a short time, discussions of Restricted Data between CIA and DOD employees will soon be prohibited because of the lack of proper clearances.

4. It is essential, therefore, that Section 143 of the Atomic Energy Act of 1954 be amended so as to permit employees of other government agencies than the AEC to exchange Restricted Data with properly certified Department of Defense employees.

HERBERT SCOVILLE, JR.  
Assistant Director  
Scientific Intelligence

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